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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/844,898	04/27/2001	Erlend Olson	41705/SAH/B600	1523
23363	7590	11/03/2004	EXAMINER	
CHRISTIE, PARKER & HALE, LLP			SON, LINH L D	
PO BOX 7068			ART UNIT	PAPER NUMBER
PASADENA, CA 91109-7068			2135	
DATE MAILED: 11/03/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

dz

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/844,898	OLSON ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Linh Son	2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 April 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-46 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>03/04/02</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 5, 7, 12, 30 are rejected under 35 U.S.C. 102(e) as being anticipated by Etzel et al, US Patent No. 6577734B1, hereinafter "Etzel".

3. As per claims 1 and 7, "A system for distributing cryptographic keys for encrypting digital data, the system comprising: a first memory for storing a cryptographic key" is taught by Etzel in (Fig 1, and Col 3 lines 50-60); "a digital data input medium for receiving digital data to be encrypted; a second memory" is taught by Etzel in (Fig 5, 10, and Col 2 lines 51-60); and a selector (Fig 5, and Col 9 lines 10-15) for coupling the first memory to the second memory via the digital data input medium, wherein the second memory is used to store the cryptographic key temporarily before the cryptographic key is used for encrypting the digital data" is taught by Etzel in (Fig 1, 25, and Col 2 lines 51-60, and lines 40-50).

4. As per claims 2, 8, 22, 38, and 44, "the system for encrypting digital data according to claims 1, 7, 12, 22, 38, and 44, wherein the digital data comprises digital video data" is taught by Etzel in (Col 2 lines 45-48).

5. As per claims 4, 10, 24, 40, and 45, the system for encrypting digital data according to claims 1, 8, 12, and 30, wherein the digital data comprises multimedia data" is taught by Etzel in (Col 2 lines 35-40).

6. As per claims 5, 11, 25, and 41, "The system according to claims 1, 7, 12, and 30, wherein the digital data is encrypted in accordance with the High-bandwidth Digital Content Protection specification" is taught by Etzel in (Col 1 lines 30-40).

7. As per claims 6 and 26, "the system for encrypting digital data according to claims 1 and 12, wherein the first input terminal, the second input terminal, the encryptor and the first output terminal are implemented on a single integrated circuit (IC) chip" is taught by Etzel in (Col 2 lines 51-60, and Fig 1, 25).

8. As per claims 12 and 30, "A system for encrypting digital data, the system comprising: a first input terminal for receiving the digital data" is taught by Etzel in (Figure 5, 16, Col 4 lines 14-20); "a second input terminal for receiving a key" is taught by Etzel in (Figure 1, 30, Col 2 lines 53-60); "an encryptor for receiving and encrypting the digital data using the key" is taught by Etzel in (Col 2 lines 53-60); and "a first output

terminal for transmitting the encrypted digital data, wherein the system receives the key from an external key storage unit via the second input terminal during operation of the system" is taught by Etzel in (Col 2 lines 53-60, and Col 3 lines 7-15).

9. As per claims 13 and 31, "the system for encrypting digital data according to claims 12 and 30, the system further comprising random access memory (RAM) for storing the key before the key provided to the encryptor to be used for encryption of the digital data" is taught by Etzel in (Col 9 line 3).

10. As per claim 14, "the system for encrypting digital data according to claim 13, the system further comprising a multiplexer coupled to the first input terminal and the second input terminal, wherein the multiplexer outputs either the digital data from the first input terminal or the key from the second input terminal" is taught by Etzel in (Col 10 lines 1-5).

11. As per claim 15, the system for encrypting digital data according to claim 14, the system further comprising a selector switch for receiving the digital data and the key from the multiplexer, wherein the selector switch provides the digital data to the encryptor, and wherein the selector switch provides the key to the RAM" is taught by Etzel in (Col 9 line 15-29 and lines 40-50, and Col 10 lines 1-8).

12. As per claims 17 and 33, "the system for encrypting digital data according to claims 12 and 30, wherein the second input terminal receives the key as a plurality of key segments" is taught by Etzel in (Col 9 lines 37-39).

13. As per claims 19 and 35, "the system for encrypting digital data according to claims 18 and 34, wherein the first output terminal is used to transmit the decryption key" is taught by Etzel in (Col 5 lines 60-63, and Fig 1, 41).

14. As per claim 27, "the system for encrypting digital data according to claim 12, wherein the second input terminal comprises a control bus, and wherein the system further comprises a controller coupled to the control bus, wherein the controller controls data flow in the system" is taught by Etzel in (Col 9 lines 10-15, and Fig 5).

15. As per claim 28, "the system of encrypting digital data according to claim 27, wherein the control bus comprises an I<sup>2</sup>C bus" is taught by Etzel in (Col 9 line 60).

16. As per claim 29, "the system of encrypting digital data according to claim 27, wherein the controller is selected from a group consisting of a finite state machine (FSM), a microprocessor and a micro controller" is taught by Etzel in (Col 9 lines 10-15).

17. As per claims 16, 18, 21, 32, 34, 36-37, 42, and 40, "A system for distributing cryptographic keys from a digital data transmitter to a digital data receiver via a digital

link" is taught by Etzel in (Fig 5 #16, Col 4 lines 14-20, and Col 1 lines 35-40), "the system comprising: a digital data transmitter comprising a first key storage medium for storing a first encryption key, a second encryption key and a first decryption key " is taught by Etzel in (Fig 1 and 5 #13, Col 3 lines 50-60, and Col 5 lines 55-60); "a data encryptor for using the first encryption key to encrypt digital data, and for using the second encryption key to encrypt the first decryption key; and a data link transmitter system for transmitting the encrypted digital data and the encrypted first decryption key over the digital link" is taught by Etzel in (Fig 1 #30, and Col 4 line 35 to Col 5 line 34); and "a digital data receiver comprising: a data link receiver for receiving the encrypted digital data and the encrypted first decryption key over the digital link; a second key storage medium for storing a second decryption key; a data decryptor for using the second decryptor key to decrypt the encrypted first decryption key, and for using the first decryption key to decrypt the encrypted digital data; and a third key storage medium (the Cache on line 43) for storing the first decryption key" is taught by Etzel in (Col 7 lines 23-45 and Fig 5).

18. As per claim 43, "the system according to claim 42, wherein the digital data transmitter comprises a Digital Versatile Disk (DVD) player" is taught by Etzel in (Col 2 lines 40-43).

19. As per claim 46, "the system according to claim 42, wherein the second encryption key comprises a public key and the second decryption key comprises a private key" is taught by Etzel in (Col 4 lines 35-38).

***Claim Rejections - 35 USC § 103***

20. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**21. Claims 3, 9, 23, and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Etzel.**

22. As per claims 3, 9, 23, and 39, the system for encrypting digital data according to claims 2, 8, 22, and 38. However, "wherein the digital video data is in composite RGB format" is not directly taught by Etzel. Nevertheless, Etzel discloses the digitized video signal and MPEG-2 encoding provided to the user over the cable-TV systems and direct broadcast satellite video systems (Col 1 lines 15-18, and Col 2 lines 45-50). Therefore, it would have been obvious at the time of the invention for one having ordinary skill in the art to recognize that the video broadcasting technology, which is implemented in Etzel's invention, must be RGB (Color) to be compatible with the customer TV display. Further, Black and White movies and images are not favored to the customers.

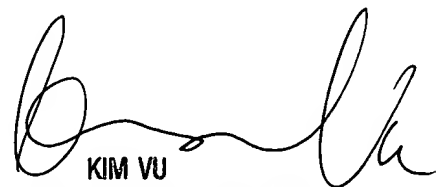


**Conclusion**

23. Any inquiry concerning this communication from the examiner should be directed to Linh Son whose telephone number is (571)-271-3856.

24. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Kim Y. Vu can be reached at (571)-272-3859. The fax numbers for this group are (703)-872-9306 (official fax). Any inquiry of general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (571)-272-2100.

25. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval IPAIR.I system. Status information for published applications may be obtained from either Private PMR or Public PMR. Status information for unpublished applications is available through Private PMR only. For more information about the PAIR system, see <http://pzd-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



KIM VU

SENIOR PATENT EXAMINER  
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